

REMARKS

Please cancel Claims 10 and 26 without prejudice. Claims 1-9, 11-25 and 27-28 are pending. Claims 1, 3-9, 11, 19 and 23-24 are amended. No new matter has been added. Support for the claim amendments can be found at least on page 10, lines 1-5, and page 13, lines 5-21, of the instant application.

35 U.S.C. § 103(a) Rejections

Claims 1-3, 6-7 and 9

According to the instant Office Action, Claims 1-3, 6-7 and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,751,623 ("Basso") in view of U.S. Patent No. 6,593,936 ("Huang"). Applicants have reviewed the cited references and respectfully submit that the embodiments of the present invention as recited in Claims 1-3, 6-7 and 9 are patentable over Basso in view of Huang for at least the following reasons.

According to independent Claim 1, a description of audio-visual content resides on a client – instead of transferring an entirely new description from a server to the client in order to update a particular node of the description, the server sends to the client: i) a command that indicates the type of update (e.g., an add, delete or change command), ii) the location of the particular node, and iii) any data related to the update. Applicants respectfully submit that these limitations are not shown or suggested by Basso or Huang or the combination thereof.

As understood by the Applicants, Basso only teaches that a file 1000 or 2000 is sent from a data storage device 110 to a networked audio-visual terminal (AVT) 190. A file 1000 or 2000 may contain audio-visual objects. However, Applicants respectfully submit that Basso does not show or suggest how to update only a portion of a file 1000 or 2000 (e.g., a particular node) that resides on a client. That is, Basso only describes sending a file 1000 or 2000 in its entirety from a storage device 110 to an AVT 190. As taught by Basso, the only way to update a file that resides on an AVT would be to make a change to the file and then send the file in its entirety to the AVT. This shortcoming of Basso is one of the very problems addressed by the present claimed invention.

Applicants respectfully submit that Huang does not overcome the shortcomings of Basso. The Examiner maintains that Huang teaches updating a description using Data Description Language (DDL). Applicants respectfully disagree. But regardless of whether or not Huang teaches updating a description, Applicants respectfully submit that Huang (alone or in combination with Basso) does not show or suggest updating a particular node in a description that resides on a client by sending, from a server to the client, a command that indicates the type of update, the location of the particular node, and data (if any) related to the update, as claimed. As understood by the Applicants, Huang teaches a system that includes a server 900 coupled to a client 940 via a network 930, but although Huang's system is described as performing certain

functions, those functions do not include updating a particular node in a description that resides on the client, and in particular those functions do not include updating a particular node in a description that resides on the client in the manner recited in independent Claim 1.

Therefore, Applicants respectfully assert that Basso and Huang, alone or in combination, do not show or suggest the limitations of independent Claim 1. Accordingly, Applicants respectfully assert that the basis for rejecting Claim 1 under 35 U.S.C. § 103(a) is traversed and that Claim 1 is in condition for allowance. Also, Applicants respectfully assert that the basis for rejecting Claims 2-3, 6-7 and 9 under 35 U.S.C. § 103(a) is traversed and that Claims 2-3, 6-7 and 9 are in condition for allowance as being dependent on an allowable base claim.

Claims 11-25 and 27-28

According to the instant Office Action, Claims 11-25 and 27-28 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Huang in view of Basso. Applicants have reviewed the cited references and respectfully submit that the embodiments of the present invention as recited in Claims 11-25 and 27-28 are patentable over Huang in view of Basso for at least the following reasons.

According to independent Claims 11 and 23, a description of audio-visual content resides on a second computer system – instead of transferring an

entirely new description from a first computer system to the second computer system in order to update a particular node of the description, the first computer system sends to the second computer system: i) a command that indicates the type of update (e.g., an add, delete or change command), ii) the location of the particular node, and iii) any data related to the update. Applicants respectfully submit that these limitations are not shown or suggested by Huang or Basso or the combination thereof.

Applicants respectfully submit that Huang does not show or suggest the limitations cited above. As understood by the Applicants, Huang teaches a system that includes a server 900 coupled to a client 940 via a network 930. However, while Huang's system is described as performing certain functions, those functions do not include updating a particular node in a description that resides on the client, and in particular those functions do not include updating a particular node in a description that resides on the client in the manner recited in independent Claims 11 and 23.

Applicants respectfully submit that Basso does not overcome the shortcomings of Huang. As understood by the Applicants, Basso only teaches that a file 1000 or 2000 is sent a data storage device 110 to a networked AVT 190. A file 1000 or 2000 may contain audio-visual objects. However, Applicants respectfully submit that Basso (alone or in combination with Huang) does not show or suggest how to update only a portion of a file 1000 or 2000 (e.g., a

particular node) that resides on a client. That is, Basso only describes sending a file 1000 or 2000 in its entirety from a storage device 110 to an AVT 190. As taught by Basso, the only way to update a file that resides on an AVT would be to make a change to the file and then send the file in its entirety to the AVT.

Therefore, Applicants respectfully assert that Huang and Basso, alone or in combination, do not show or suggest the limitations of independent Claims 11 and 23. Accordingly, Applicants respectfully assert that the basis for rejecting Claims 11 and 23 under 35 U.S.C. § 103(a) is traversed and that Claims 11 and 23 are in condition for allowance. Also, Applicants respectfully assert that the basis for rejecting Claims 12-22, 24-25 and 27-28 under 35 U.S.C. § 103(a) is traversed and that Claims 12-22, 24-25 and 27-28 are in condition for allowance as being dependent on an allowable base claim.

Claims 4-5 and 8

According to the instant Office Action, Claims 4-5 and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Basso in view of Huang, and further in view of ISO/IEC MPEG 00/N3575 ("ISO/IEC"). Applicants have reviewed the cited references and respectfully submit that the embodiments of the present invention as recited in Claims 4-5 and 8 are patentable over Basso in view of Huang and further in view of ISO/IEC for at least the following reasons.

Claims 4-5 and 8 depend from independent Claim 1. Hence, by demonstrating that the combination of references cited above does not show or suggest the limitations of Claim 1, it is also demonstrated that those references do not show or suggest the limitations of Claims 4-5 and 8.

As presented above, Applicants respectfully assert that Basso and Huang, alone or in combination, do not show or suggest the limitations of Claim 1. Applicants further assert that ISO/IEC does not overcome the shortcomings of Basso and Huang. The shortcomings of ISO/IEC with regard to the present claimed invention are presented in the Background Art section of the instant application.

Therefore, Applicants respectfully assert that Basso, Huang and ISO/IEC, alone or in combination, do not show or suggest the limitations of independent Claim 1 and that Claim 1 is patentable over Basso, Huang and ISO/IEC. Accordingly, Applicants respectfully assert that the basis for rejecting Claims 4-5 and 8 under 35 U.S.C. § 103(a) is traversed and that Claims 4-5 and 8 are in condition for allowance as being dependent on an allowable base claim.

Conclusions


Based on the arguments presented above, Applicants respectfully assert that Claims 1-9, 11-25 and 27-28 overcome the rejections of record and, therefore, Applicants respectfully solicit allowance of these claims.

Applicants have reviewed the reference cited but not relied upon and did not find this reference to show or suggest the present claimed invention: U.S. Patent No. 6,070,167.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,
WAGNER, MURABITO & HAO L.L.P.

Dated: 3/12, 2007



William A. Zarbis
Registration No. 46,120

Two North Market Street
Third Floor
San Jose, CA 95113